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Promotion and protection of the rights of children: promotion and protection of the rights of children

Argentina, Armenia, Australia, Benin, Bolivia (Plurinational State of), Bosnia and Herzegovina, Bulgaria, Burkina Faso, Cabo Verde, Canada, Central African Republic, Chile, Côte d'Ivoire, Georgia, Guatemala, Guinea, Guinea-Bissau, Iceland, Israel, Italy, Kenya, Lebanon, Liberia, Liechtenstein, Madagascar, Mongolia, Morocco, Netherlands, Norway, Palau, Panama, Paraguay, Peru, Rwanda, Spain, Thailand, the former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela (Bolivarian Republic of), Viet Nam and Zambia: revised draft resolution

Child, early and forced marriage

The General Assembly,

Reaffirming its resolution 69/156 of 18 December 2014 on child, early and forced marriage,

Recalling its resolutions 70/138 of 17 December 2015 on the girl child and 69/147 of 18 December 2014 on the intensification of efforts to eliminate all forms of violence against women and girls, as well as Human Rights Council resolution 29/8 of 2 July 2015, entitled "Strengthening efforts to prevent and eliminate child, early and forced marriage",[1] and all other previous resolutions relating to child, early and forced marriage,

Guided by the Universal Declaration of Human Rights,[2] the International Covenant on Economic, Social and Cultural Rights[3] and the International Covenant on Civil and Political Rights,[3] the Convention on the Rights of the Child[4] and the

[1] See *Official Records of the General Assembly, Seventieth Session, Supplement No. 53* (A/70/53), chap. V.
[2] Resolution 217 A (III).
[3] See resolution 2200 A (XXI), annex.
[4] United Nations, *Treaty Series*, vol. 1577, No. 27531.

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Convention on the Elimination of All Forms of Discrimination against Women,[5] together with the relevant Optional Protocols thereto,[6] as well as other relevant human rights instruments,

Reaffirming the Vienna Declaration and Programme of Action,[7] as well as the Programme of Action of the International Conference on Population and Development,[8] the Beijing Declaration and Platform for Action[9] and the outcome documents of their review conferences,

Taking note of the agreed conclusions adopted by the Commission on the Status of Women at its fifty-eighth[10] and sixtieth[11] sessions,

Welcoming the adoption of the 2030 Agenda for Sustainable Development,[12] and noting the integrated nature of the 2030 Agenda and the range of goals and targets relevant to eliminating child, early and forced marriage, including target 5.3,

Noting with appreciation the launch of the United Nations Population Fund-United Nations Children's Fund Global Programme to Accelerate Action to End Child Marriage, in March 2016, as well as regional, national and subnational initiatives to end child, early and forced marriage, including the African Union Campaign to End Child Marriage and the Regional Action Plan to End Child Marriage in South Asia, and further encouraging coordinated approaches to action at all levels,

Taking note with appreciation of the report of the Secretary-General,[13] which summarizes progress towards ending child, early and forced marriage worldwide,

Expressing concern about the continued prevalence of child, early and forced marriage worldwide, including the fact that there are still approximately 15 million girls married every year before they reach 18 years of age and that more than 720 million women and girls alive today were married before their eighteenth birthday,

Recognizing that child, early and forced marriage is a harmful practice that violates, abuses or impairs human rights and is linked to and perpetuates other harmful practices and human rights violations and that such violations have a disproportionately negative impact on women and girls, and underscoring the human rights obligations and commitments of States to promote and protect the human rights and fundamental freedoms of women and girls and to prevent and eliminate the practice of child, early and forced marriage,

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[5] Ibid., vol. 1249, No. 20378.

[6] Ibid., vols. 2171 and 2173, No. 27531, and resolution 66/138, annex; and United Nations, *Treaty Series*, vol. 2131, No. 20378.

[7] A/CONF.157/24 (Part I), chap. III.

[8] *Report of the International Conference on Population and Development, Cairo, 5-13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

[9] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[10] *Official Records of the Economic and Social Council, 2014, Supplement No. 7* (E/2014/27), chap. I, sect. A.

[11] Ibid., *2016, Supplement No. 7* (E/2016/27), chap. I, sect. A.

[12] Resolution 70/1.

[13] A/71/253.

Noting with concern that poverty, insecurity and lack of education are among the root causes of child, early and forced marriage, that armed conflict and humanitarian emergencies are among the exacerbating factors and that child, early and forced marriage remains common in rural areas and among the poorest communities, and recognizing that the immediate alleviation and eventual eradication of extreme poverty must remain a high priority for the international community,

Noting with concern also that deep-rooted gender inequalities and stereotypes, harmful practices, perceptions and customs, and discriminatory norms are not only obstacles to the full enjoyment of human rights and the empowerment of all women and girls but are also among the root causes of child, early and forced marriage, and that the persistence of child, early and forced marriage places children, in particular the girl child, at greater risk of being exposed to and encountering various forms of discrimination and violence throughout their lives,

Recognizing that child, early and forced marriage undermines women's and girls' autonomy and decision-making in all aspects of their lives and also that the empowerment of and investment in women and girls, as well as their meaningful participation in all decisions that affect them, are key factors in breaking the cycle of gender inequality and discrimination, violence and poverty and are critical, inter alia, for sustainable development, peace, security, democracy and inclusive economic growth,

Recognizing also that raising awareness of the harmful consequences of child, early and forced marriage, including among men and boys, can contribute to promoting social norms that support efforts by girls and their families to end this harmful practice,

Recognizing further men and boys as strategic partners and allies and that their meaningful engagement can contribute to transforming discriminatory social norms that perpetuate child, early and forced marriage, ending this practice and achieving gender equality and the empowerment of women and girls,

Noting with concern that child, early and forced marriage disproportionally affects girls who have received little or no formal education and is itself a significant obstacle to educational opportunities for girls and young women, in particular girls who are forced to drop out of school owing to marriage, pregnancy, childbirth and/or childcare responsibilities, and recognizing that educational opportunities are directly related to the empowerment of women and girls, their employment and economic opportunities and their active participation in economic, social and cultural development, governance and decision-making,

Recognizing that child, early and forced marriage constitutes a serious threat to multiple aspects of the physical and psychological health of women and girls, including but not limited to their sexual and reproductive health, significantly increasing the risk of early, frequent and unintended pregnancy, maternal and newborn mortality and morbidity, obstetric fistula and sexually transmitted infections, including HIV/AIDS, as well as increasing vulnerability to all forms of violence,

Recognizing also that the incidence and risk of child, early and forced marriage can increase during humanitarian emergencies, situations of forced

displacement, armed conflict and natural disaster and that this requires increased attention, appropriate protection measures and coordinated action by relevant stakeholders, with the full and meaningful participation of the women and girls affected, from the early stages of humanitarian emergencies, and recognizing further the importance of addressing the increased vulnerability of women and girls to sexual and gender-based violence and exploitation in those situations,

1. *Calls upon* States, with the participation of relevant stakeholders, including women and girls, parents and other family members, religious, traditional and community leaders, civil society, organizations led by girls, women's organizations, youth and human rights groups, men and boys, the media and the private sector, to develop and implement holistic, comprehensive and coordinated responses and strategies to eliminate child, early and forced marriage, to support girls and women who are at risk or have been subjected to this practice, including through the strengthening of child protection systems, protection mechanisms, such as safe shelters, access to justice and the sharing of best practices across borders;

2. *Also calls upon* States to enact, enforce and uphold laws and policies aimed at preventing and ending child, early and forced marriage and protecting those at risk, to ensure that marriage is entered into only with the informed, free and full consent of the intending spouses and to amend relevant laws and policies to remove any provision that enables perpetrators of rape, sexual abuse or abduction to escape prosecution and punishment by marrying their victims;

3. *Further calls upon* States to strengthen their efforts to ensure the timely registration of births and marriages, especially for individuals living in rural and remote areas, including by identifying and removing all physical, administrative, procedural and any other barriers that impede access to registration and by providing, where lacking, mechanisms for the registration of customary and religious marriages;

4. *Calls upon* States to enact, build awareness of, enforce and uphold laws requiring a minimum age of marriage and to progressively amend laws with lower ages of marriage and/or ages of majority;

5. *Also calls upon* States to promote the meaningful participation of and active consultation with children and adolescents, especially girls, in all issues affecting them and to raise awareness about their rights, including the negative impact of child, early and forced marriage, through safe spaces, forums and support networks that provide girls and boys with information, life skills and leadership skills training and opportunities to be empowered, to express themselves, to participate meaningfully in all decisions that affect them and to become agents of change within their communities;

6. *Further calls upon* States and encourages other stakeholders to address gender stereotypes, discriminatory social norms and harmful practices that contribute to the acceptance and continuation of the practice of child, early and forced marriage, including by raising awareness of its harm and the cost to society at large and by providing opportunities for discussion, in this regard, among others, within communities, including with the involvement of girls and boys, women and men, religious, traditional and community leaders, and parents and other family

members, on the benefits of ending child, early and forced marriage and ensuring that girls and boys receive an education;

7. *Recognizes* that the child, for the full and harmonious development of his or her personality, should grow up in a family environment and in an atmosphere of happiness, love and understanding and that parents or, as the case may be, legal guardians, have the primary responsibility for the upbringing and development of the child, acknowledging the need to support their capacity to prevent and eliminate child, early and forced marriage and reaffirming that the best interests of the child will be their basic concern;

8. *Calls upon* States to promote and protect the right of women and girls to equal access to education through enhanced emphasis on free and quality primary and secondary education, including catch-up and literacy education for those who have not received formal education or have left school early, including because of marriage and/or childbearing, which empowers young women and girls to make informed decisions about their lives, employment, economic opportunities and health, including through scientifically accurate age-appropriate comprehensive education, relevant to cultural contexts, that provides adolescent girls and boys and young women and men, in and out of school, consistent with their evolving capacities, with information on sexual and reproductive health, gender equality and the empowerment of women, human rights, physical, psychological and pubertal development and power in relationships between women and men, to enable them to build self-esteem and informed decision-making, communication and risk reduction skills and to develop respectful relationships, in full partnership with young persons, parents, legal guardians, caregivers, educators and health-care providers, in order to contribute to ending child, early and forced marriage;

9. *Urges* States to prevent and eliminate child, early and forced marriage by removing barriers to education, including by ensuring that married girls and boys, pregnant girls and women and young parents continue to have access to schooling, improving access to quality formal education and skills development, especially for those living in remote or insecure areas, improving the safety of girls at and on the way to and from school, providing safe and adequate sanitation, including for menstrual hygiene management, and adopting policies to prohibit, prevent and address violence against children, especially girls;

10. *Urges* Governments, with the collaboration of relevant stakeholders, to tackle poverty and lack of economic opportunities for women and girls as drivers of child, early and forced marriage, including by ensuring the rights of women and girls to inheritance and property, their equal access with men and boys to social protection, direct financial services, support and microcredit, to encourage girls to continue their education, to develop livelihood opportunities through access to technical and vocational education and training and life skills education, including financial literacy and to promote women's equal access to full and productive employment and decent work, as well as equal political participation and rights to inherit, own and control land and productive measures;

11. *Urges* States to ensure access to justice and accountability mechanisms and remedies for the effective implementation and enforcement of laws aimed at preventing and eliminating child, early and forced marriage, including by informing women, girls and boys about their rights under relevant laws, training law

enforcement officers, the judiciary, and professionals working with women and children and ensuring oversight of the handling of cases of child, early and forced marriage, improving legal infrastructure and removing all barriers to access to legal counselling, assistance and remedies;

12. *Urges* Governments to respect and protect the right to the enjoyment of the highest attainable standard of physical and mental health through the development and enforcement of policies and legal frameworks and the strengthening of health systems, including health information systems, that make universally accessible and available quality, gender-responsive, adolescent-friendly health services, sexual and reproductive health-care services, information and commodities, HIV and AIDS prevention, treatment and care, mental health services and nutrition interventions;

13. *Also urges* Governments to promote and protect the human rights of all women and girls, including their right to have control over and decide freely and responsibly on matters related to their sexuality, including sexual and reproductive health, free of coercion, discrimination and violence, and to adopt and accelerate the implementation of laws, policies and programmes that protect and enable the enjoyment of all human rights and fundamental freedoms, including reproductive rights, in accordance with the Programme of Action of the International Conference on Population and Development,[8] the Beijing Platform for Action[9] and the outcome documents of their review conferences;

14. *Calls upon* States to develop, in consultation with women and, as appropriate, girls, and integrate into humanitarian responses, from the early stages of humanitarian emergencies, measures to address the increased vulnerability of women and girls to child, early and forced marriage and to protect women and girls from sexual and gender-based violence and exploitation during humanitarian emergencies, situations of forced displacement, armed conflict and natural disaster, including by ensuring their access to such services as health-care and education;

15. *Encourages* relevant United Nations entities and agencies, regional and subregional organizations, within their respective mandates, civil society and other relevant actors and human rights mechanisms to continue to collaborate with Member States in developing and implementing strategies and policies at the national, regional and international levels to prevent and eliminate child, early and forced marriage, as well as to support those who were married as girls and boys;

16. *Affirms* the need for States to improve the collection and use of quantitative, qualitative and comparable data on violence against women and harmful practices, disaggregated by sex, age, disability, civil status, race, ethnicity, migratory status, geographical location, socioeconomic status, education level and other key factors, as appropriate, to enhance research and dissemination of evidence-based and good practices relating to the prevention and elimination of child, early and forced marriage and to strengthen monitoring and impact assessment of existing policies and programmes as a means of ensuring their effectiveness and implementation;

17. *Encourages* Governments to include information on progress towards eliminating child, early and forced marriage in their national reports to relevant international treaty bodies and the universal periodic review and within the national

voluntary reviews conducted through the high-level political forum on sustainable development under the auspices of the Economic and Social Council;

18. *Requests* the Secretary-General to submit a comprehensive report to the General Assembly, before the end of its seventy-second session, on progress towards ending child, early and forced marriage worldwide, including, for the consideration of Member States, action-oriented recommendations for eliminating this practice, using information provided by Member States, United Nations bodies, agencies, funds and programmes, civil society and other relevant stakeholders;

19. *Decides* to consider the issue of child, early and forced marriage at its seventy-third session under the item entitled "Promotion and protection of the rights of children", taking into account the multifaceted and worldwide nature of the issue of child, early and forced marriage.